

Email: rlgreenak@yahoo.com

PRO SE - FORCED TO PROCEED BY COURT ORDER WITHOUT CONFLICT-FREE
COUNSEL, Appellant

IN THE SUPREME COURT FOR THE STATE OF ALASKA

Richard L. Green)	
)	
Appellant ,)	
vs.)	Supreme Court
)	Case No. S-18062
State of Alaska, DHSS, OCS, OPA)	
)	
Appellee(s),)	
)	

Trial Court Case No. 3PA-20-00568-571CI

OPPOSITION TO WITHDRAWAL

(EXPEDITED FOR CHILD CUSTODY)

Comes now Richard Green, and files his motion opposing
withdrawal. This motion is supported by a memorandum which is
included.

After finally speaking to Mr. Gulkis on August 5, 2021 and
him informing me that he was not appointed as counsel in the
DVPO trial case.

Mr. Green immediately emailed Ms. Beecher from the PDA to
ask for clarification from the trial court as to scope of
representation. She informed me that her understanding was the
12(e) counsel was appointed in both the trial case and the
Appeal, but that I would have to file with the court to seek
clarification myself because she was unable to file since the

8.10.2021 opposition to withdrawal

court and ordered the PDA withdraw ln in the trial case and had appointed Mr. Gulkis to replace them.

Mr. Green promptly filed for clarification with this court (the trial court rejected his pleading stating he was represented by counsel in the trial case) and the court has not provided the clarification that is needed to move forward with this or the trial case so that efforts in the two are not contrary and duplicative.

Nobody knows who is representing who and in what cases, this issue needs to be clarified by this court since the trial court refuses to accept any pleadings for clarification and/or issue such a clarification.

Mr. Gulkis is less than honest in the his Statement of Counsel @ 12. Mr. Green has never refused Mr. Gulkis appointment in this or the trial court case.

Mr. Green sought clarification from this court as to the scope of the appointment given the confusion between the PDA and Mr. Gulkis understanding.

Mr. Gulkis makes a true statement @ 13(a). Mr. Green has not asked Mr. Gulkis to represent him in any other matter save that which was ordered by the trial court.

Mr. Gulkis references @ 12 and 13(b) (c) make no sense to Mr. Green and he has undemanding what those are in reference to

or about. Mr. Green has never requested Mr. Gulkis to represent him in any other matter save what is before this and the trial court. Both the PDA and Mr. Green understanding is that the trial court has appointed Mr. Gulkis in both matters but that has created some confusion.

Mr. Gulkis told me in the August 5, 2021 limited phone call that he had not reviewed the file and later emailed me that he would do nothing in my case until I signed the representation contract and agreed to pay an amount of unknown fees I don't have. In fact I don't even know what these fees are or would be.

Absent an explanation I am without understanding. Mr. Green cannot go to the gas station and get gas and then say, "oh I'm sorry I can pay you". That is dishonest and I cannot intentionally set myself to be a dishonest person. If there are fees to be paid by Mr. Green he would need to at least have an estimate of the cost for services so he can try and borrow this money. Mr. Green has no idea what or if any cost would be incurred the contract only states an agreement to pay \$300.00 per hour and some other fees, etc.

Mr. Green after a short phone call believes that Mr. Gulkis is able and willing to make sufficient arguments in this case.

Mr. Green again asks for a clarification order from this court so he knows how to proceed at the trial level so that

efforts are not duplicative and wasting the courts valuable time.

Respectively Submitted,

DATED at Wasilla, Alaska, this 10 day of August, 2021.

By: /R/Green
Richard Green

Certificate of Service
I hereby certify that a true and
correct copy of the foregoing
was mailed/emailed/hand delivered to:

adam@gulkislaw.com

this 10 day of August, 2021

 /R/Green

From: **OCSGREEN** ocsgreen2020@rdgreen.org
Subject: Representation in the DVPO
Date: August 5, 2021 at 5:29 PM
To: Beecher, Linda R (DOA) linda.beecher@alaska.gov



Ms, Beecher,

The court view still shows that you are the attorney of record for the DVPO.

7/22/2021 motion to dismiss lack of jurisdiction was sent back stating you are still counsel and we should file that.

12 (e) counsel said he does not and will not represent me at the trial court level.

So this is still in your realm of controls counsel.

Would you file a Rule 60(b) motion to dismiss for lack of jurisdiction? I can send you the base pleadings again to see the arguments.

Richard

From: **Beecher, Linda R (DOA)** linda.beecher@alaska.gov
Subject: **RE: Representation in the DVPO**
Date: **August 5, 2021 at 5:44 PM**
To: **OCSGREEN** ocsgreen2020@rlgreen.org



There is an order withdrawing us as counsel in the DVPO case dated 8/1/21. The order is attached. According to the service block it was emailed to you. Since we are no longer appointed in that matter we cannot file any motions on your behalf. I assumed that your 12(e) counsel was appointed for purposes of the appeal and the trial case but you will need to take that up with him and/or the court. Although the court appointed us to the CINA and DVPO cases my understanding is that the cases were heard together but never formally consolidated. So, at this point we are only appointed to represent you in the CINA cases.

I have begun drafting the motion for the release of records for all family members from Mat-Su. I hope to get it filed Monday. I believe I sent you Ms. Dinh's attorney's response. Since I cannot file the motion unopposed I will just go ahead and file it. Do you have any specific information about those records that I should include in the motion?

Linda Beecher | Deputy Public Defender
Alaska Public Defender Agency
900 W 5th, Suite 101, Anchorage, AK 99501
Phone: 907.334.4438
Fax: 907.868.2588
Service: pdacivildivision@alaska.gov
DSM Email for Service: doapda.CINAserviceANC@soa.directak.net

From: OCSGREEN <ocsgreen2020@rlgreen.org>
Sent: Thursday, August 5, 2021 5:29 PM
To: Beecher, Linda R (DOA) <linda.beecher@alaska.gov>
Subject: Representation in the DVPO

Ms, Beecher,

The court view still shows that you are the attorney of record for the DVPO.

7/22/2021 motion to dismiss lack of jurisdiction was sent back stating you are still counsel and we should file that.

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base pleadings again to see the arguments.

Richard



Order+Granting
+Reco...-21.pdf

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT PALMER

STATE OF ALASKA, DEPARTMENT OF
HEALTH AND SOCIAL SERVICES,
OFFICE OF CHILDREN'S SERVICES

o.b.o.

AI'ANAH GREEN
SAMUEL C. GREEN
ENOCH A. GREEN
YOSEF H. GREEN

Minor Petitioners,

v.

RICHARD L. GREEN

Respondent.

Case No. 3PA-20-00568CI

Case No. 3PA-20-00569CI

Case No. 3PA-20-00570CI

Case No. 3PA-20-00571CI

Amended &

ORDER GRANTING RECONSIDERATION

On July 19, 2021, the Public Defender Agency filed a motion for reconsideration of the court's July 15th order denying its *Motion to Withdraw and Memorandum in Support* in both the above-captioned matters and the related Child in Need of Aid case. On July 14, 2021, the Supreme Court of the State of Alaska, in S-18062, ordered a limited remand for this court to either appoint the Office of Public Advocacy or Administrative Rule 12(e) counsel to Mr. Green for purposes of the appeal in these matters. On July 26, 2021, the court appointed Rule 12(e) counsel to Mr. Green. On that basis, the Public Defender Agency's motion for reconsideration is GRANTED as to the above-captioned matters and that agency is withdrawn as counsel for Mr. Green.

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The *Unopposed Motion for Expedited Consideration of Motion for Representation Hearing* and *Motion for Representation Hearing* filed in the above-captioned matters are DENIED as MOOT.

DATED and ENTERED this 1st day of August 2021 at Palmer, Alaska.

Kristen C. Stohler
Kristen C. Stohler
Superior Court Judge

The PDA's reply is accepted for filing.

Verify that on 8/2/21
Copy of this document was sent to:
☐ CSSD ☒ Attorney(s) of record
☐ Plaintiff ☐ Defendant ☐ Other R. Green Enid
The address(es) of record:
cc: Jni: [Signature]
Deputy Clerk

+ 8/2/21 forwarded to parties above

Email: rlgreenak@yahoo.com

PRO SE - FORCED TO PROCEED BY COURT ORDER WITHOUT CONFLICT-FREE
COUNSEL, Appellant

IN THE SUPREME COURT FOR THE STATE OF ALASKA

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<hr/>		
Trial Court Case No. 3PA-20-00568-571CI		

**ADDITIONAL POINTS FOR CONSIDERATION in OPPOSITION TO
WITHDRAWAL**

(EXPEDITED FOR CHILD CUSTODY)

Mr. Green attempted to contact Mr. Gulkis on August 10,
2021 and received the message attached.

Mr. Green further brings these additional points for
consideration of the court in seeking clarification ad
opposition to the motion to withdrawal.

Mr. Gilkis did inform Mr. Green that it is always better to
file and settle the matter of jurisdiction at the trial court
level i.e. OCS did not have legal standing to file for a DVPO
when they filed on September 3, 2020.

Also Mr. Gulkis informed Mr. Green that it would be
necessary to establish the record for ineffective assistance of

8,10,2021 additional points for consideration in opposition to withdrawal

Counsel at the trial court level or this argument would almost be impossible to win on appeal.

The trial court has done everything possible to ignore the IAC issues since October 2020 and adamantly refuses to allow Mr. Green to establish the record for IAC claims in this and the CINA case.

Mr. Green **again** asks for a clarification order from this court so he knows how and with whom to proceed at the trial level so that efforts are not duplicative and wasting the courts valuable time.

Respectively Submitted,

DATED at Wasilla, Alaska, this 10 day of August, 2021.

By: /R/Green
Richard Green

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I hereby certify that a true and correct copy of the foregoing was mailed/emailed/hand delivered to:

adam@gulkislaw.com

this 10 day of August, 2021

 /R/Green

From: Adam Gulkis adam@gulkislaw.com
Subject: Automatic reply: Opposition
Date: August 10, 2021 at 7:20 AM
To: Richard Lee rlgreenak@yahoo.com



The Law Office of Adam Gulkis is closed from Friday 6 August through Wednesday 25 August 2021. The Office will re-open on Thursday 26 August.